

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO. 1:11-CR-0077-02</b>
	:	
v.	:	<b>(Judge Conner)</b>
	:	
<b>HENRY THOMPSON</b>	:	

**ORDER**

AND NOW, this 29th day of November, 2011, upon consideration of the correspondences (Docs. 127, 128) from defendant Henry Thompson (“Thompson”), wherein Thompson states that an irreconcilable conflict of interest has arisen between him and his court-appointed attorney Daniel Myshin, Esquire (“Attorney Myshin”), and after an *ex parte* hearing on the matter, during which Thompson requested the appointment of new counsel, and it appearing that irreconcilable differences have arisen between Thompson and Attorney Myshin, see 18 U.S.C. § 3006a(c) (“[T]he court may, in the interests of justice, substitute one appointed counsel for another at any stage of the proceedings.”); United States v. Welty, 674 F.2d 185, 188 (3d Cir. 1982) (identifying “a complete breakdown in communication” or “an irreconcilable conflict with [one’s] attorney” as cause for appointing substitute counsel); see also PA. RULES PROF’L CONDUCT R. 1.7, 1.16; UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA, CRIMINAL JUSTICE ACT PLAN at 8 (2005), it is hereby ORDERED that:

1. The correspondences from defendant Thompson (Docs. 127, 128) are CONSTRUED as motions for the appointment of new counsel and are GRANTED as so construed.
2. The appointment of Daniel Myshin, Esquire, as counsel for defendant in the above-captioned case is TERMINATED.
3. William Fetterhoff, Esquire, Fetterhoff & Zilli, 218 Pine Street, P.O. Box 1161, Harrisburg, Pennsylvania 17108, telephone number (717) 232-7722, is appointed to represent defendant in the above-captioned case.
4. The Clerk of Court is directed to forward all necessary materials to William Fetterhoff, Esquire, as soon as possible.
5. Daniel Myshin, Esquire, is directed to provide to William Fetterhoff, Esquire, the file in the above-captioned case as soon as possible.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge